

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

No. 1:23-cv-1346 (JSR)

TERRAFORM LABS PTE LTD. and
DO HYEONG KWON,

Defendants.

**DECLARATION OF CARINA A. CUELLAR IN SUPPORT OF
SECURITIES AND EXCHANGE COMMISSION'S
PROPOSED JURY INSTRUCTIONS**

I, Carina A. Cuellar, hereby declare as follows:

1. I am employed by the Securities and Exchange Commissions ("SEC"), the plaintiff in this action, as a Trial Counsel.
2. I make this declaration in support of the SEC's Proposed Jury Instructions. This declaration attaches documents that are relevant to the SEC's proposed instructions.
3. A true and accurate copy of the Court's Instructions of Law to the Jury in *SEC v. Payton et al.*, 1:14-Civ-4644 (JSR), is attached as Exhibit 1.
4. A true and accurate copy of the Court's Instructions of Law to the Jury in *SEC v. Stoker*, 1:11-Civ-7388 (JSR), is attached as Exhibit 2.
5. A true and accurate copy of the Court's Instructions of Law to the Jury in *SEC v. Fontanetta*, 1:08-Civ-5110 (JSR), is attached as Exhibit 3.

6. A true and accurate copy of the Court's Instructions of Law to the Jury in *SEC v. Castaldo et al.*, 1:08-Civ-8397 (JSR), is attached as Exhibit 4.

I declare, based on my knowledge, information, and belief, that the foregoing is true and correct.

Dated: March 18, 2024

/s/ Carina A. Cuellar
Carina A. Cuellar